

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARY DOE, AN INDIVIDUAL KNOWN TO
DEFENDANTS

Plaintiff,

 γ_1

MATCH.COM, INC. AND MATCH.COM, L.P.

Defendants

CIVIL ACTION
NO. 04-938

ORDER

And now, on this day of , 2004, upon consideration of Defendants Match.com, Inc. and Match.com, L.P.'s Motion for Permission to File Reply Memorandum of Law and accompanying Memorandum of Law, and plaintiff's response thereto, it is hereby ORDERED that:

1. The Motion is **GRANTED**; and
2. Defendants are permitted to file the proposed Reply Memorandum of Law attached as Exhibit A to their Motion.

By: _____
Giles, J.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARY DOE, AN INDIVIDUAL KNOWN TO
DEFENDANTS

Plaintiff,

v.

MATCH.COM, INC. AND MATCH.COM, L.P.

Defendants

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: CIVIL ACTION
: NO. 04-938
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MOTION FOR PERMISSION TO FILE REPLY MEMORANDUM OF LAW

Defendants Match.com, Inc. and Match.com, L.P. (“Match.com”) hereby move this Court for permission to file the attached Reply Memorandum of Law in Further Support of their Motion to Dismiss and in response to plaintiff’s Memorandum in Opposition to Defendants’ Motion to Dismiss (“Reply Memorandum”) and request that the Court enter as file the attached Reply Memorandum. In support of this Motion, Match.com states:

1. Defendants’ Reply Memorandum responds only to the issues of law and fact raised in Plaintiff’s Opposition Memorandum
2. Defendants’ Reply Memorandum will assist the Court in deciding the instant motion.
3. Defendants’ Reply Memorandum is necessary because in her Memorandum in Opposition to Defendants’ Motion to Dismiss (“Opposition Memorandum”), Doe makes new legal arguments that are not within the scope of Match.com’s Motion to Dismiss. Specifically, Doe raises new legal issues as to (1) her respondeat superior theory of liability; (2) as to the right of Defendants to attach the contract in question to the Motion to Dismiss; (3) as to the legitimacy of the “gist of the action” doctrine in Pennsylvania; (4) as to the

scope of her invasion of privacy claim; and (5) as to the legal relationship between Doe and Match.com. Match.com wishes to respond to those arguments.

4. In addition, Defendants' Reply Memorandum is necessary because in her Opposition Memorandum, Doe misapprehends the holdings of a number of cases. Match.com wishes to correct such errors.

5. Defendants' proposed Reply Memorandum is attached as Exhibit A.

WHEREFORE, Match.com respectfully moves the Court for leave to file the Reply Memorandum of Law attached as Exhibit A.

Respectfully submitted,

/s/ Christopher J. Huber

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Attorneys for Defendants Match.com, Inc.
and Match.com L.P.

Dated: May 28, 2004

CERTIFICATE OF SERVICE

I, Hadley B. Perkins, hereby certify that on May 28, 2004, a true and correct copy of Defendants' Motion For Permission To File Reply Memorandum Of Law and accompanying Reply Memorandum of Law were served by hand delivery and first class mail on the following:

William P. Murphy, Esq.
Murphy & Goldstein, P.C.
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/s/ Hadley B. Perkins
Hadley B. Perkins